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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/851,867	05/09/2001	Hikmet Senay	36287-01500	4958

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EXAMINER

PITARO, RYAN F

ART UNIT PAPER NUMBER

2174

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/851,867

Applicant(s)

SENAY, HIKMET

Examiner

Ryan F Pitaro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1-18 have been examined.

#### ***Response to Amendment***

2. This communication is responsive to Amendment A, filed 3/8/2005.
3. Claims 1-18 are pending in this application. Claims 1,5,9,13,16 are independent claims. In the Amendment A, Claims 1-18 were amended.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chi et al ("Chi", US 6,509,898) in view of Jordan et al ("Jordan", US 5,745,113).

As per claim 1, Chi discloses a method for graphically representing interactions between units within an organization, which comprises: providing a graphical object corresponding to each unit (Column 7 lines 36-46); positioning said graphical objects to correspond to the relative positions of the units within the organizational hierarchy (Column 7 lines 36-46); varying graphical properties of said graphical objects to correspond to pre-selected attributes of the units (Column 18 lines 18-24); and displaying on a display screen said graphical objects and interactions between the units represented by said graphical objects (Column 6 lines 18-22). Chi fails to distinctly point

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out the units of an organization being individual persons. However, Jordan teaches an organizational hierarchy made of individual persons (Column 1 lines 13-21). Therefore it would have been obvious to an artisan at the time of the invention to combine the method of Chi with the current teaching of Jordan. Motivation to do so would have been to help designers to find patterns in relationships and work practices.

As per claim 2, which is dependent on claim 1, Chi-Jordan teaches a method wherein said pre-selected attributes of the units includes degree of interactions of members constituting each unit (Chi, Column 7 lines 50-63, Column 7 lines 36-43).

As per claim 3, which is dependent on claim 1, Chi-Jordan teaches a method wherein said graphical properties of said graphical objects varied includes size of said graphical objects and color of said graphical objects (Chi, Column 18 lines 18-24).

As per claim 4, which is dependent on claim 1, Chi-Jordan teaches a method which further comprises providing for user selection of a portion of said display screen such that only those graphical objects within said user selected portion of said display screen are displayed (Chi, Column 6 lines 30-37).

Claims 5,8 are similar in scope to that of claim 1, and are therefore rejected under similar rationale.

Claim 6,10,14,17 are similar in scope to that of claim 3, and are therefore rejected under similar rationale.

Claim 7,11 are similar in scope to that of claim 4, and are therefore rejected under similar rationale.

As per independent claim 9, Chi-Jordan teaches a method for graphically representing interactions between an individual person and other persons with an organization (Jordan, Column 1 lines 13-21), which comprises: providing graphical objects corresponding to the interacting individual persons (Chi, Column 6 lines 17-18); varying graphical properties of said graphical objects to correspond to pre-selected attributes of the individual persons (Chi, Column 18 lines-24); displaying on a display screen said graphical objects (Chi, Column 6 lines 18-22); and displaying on said display screen direct interactions between the individual persons (Chi, Column 6 lines 18-22) and indirect interactions between the individual persons to a preselected depth level (Chi, Column 19 lines 17-37).

As per claim 12, which is dependent on claim 9, Chi-Jordan disclose a method wherein said pre-selected depth level may be user selected (Chi, Column 19 lines 17-37).

As per independent claim 13, Chi-Jordan disclose a method for graphically representing interactions between hypothetical units of individual persons within an organization (Jordan, Column 1 lines 13-21), which comprises: forming the hypothetical units of individual persons based on analysis of interaction data between members of actual units with the organization (Chi, Column 6 lines 17-18); providing a graphical object corresponding to each hypothetical unit of individual person (Chi, Column 7 lines 36-46); varying graphical properties of said graphical objects to correspond to pre-selected attributes of the hypothetical units of individual persons (Chi, Column 18 lines 18-24); and displaying on a display said graphical objects and interaction between

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hypothetical units of individuals persons represented by said graphical objects (Chi, Column 6 lines 18-22).

As per claim 15, which is dependent on claim 14, Chi-Jordan discloses a method wherein each said graphical object displays the actual units within the organization whose members form the corresponding hypothetical unit individual persons (Chi, Column 6 lines 18-22).

As per independent claim 16, Chi-Jordan discloses a method for graphically representing interactions between individual members of units of persons within an organization (Jordan, Column 1 lines 13-21), which comprises: providing graphical objects corresponding to the individual members Chi, Column 7 lines 36-46); positioning said graphical objects such that the individual members of each unit are clustered together (Chi, Column 18 lines 21-24); varying graphical properties of said graphical objects based on connectivity and diversity measures of the corresponding individual members (Chi, Column 18, lines 6-17).

As per claim 18, which is dependent on claim 17, Chi-Jordan fails to teach size being based on the connectivity measure and color being based on the diversity measure. OFFICIAL NOTICE is given that the use of size and shape of on screen objects to denote specific attributes is well known in the art. It would have been obvious to one skilled in the art at the time of invention to use the size and shape of an on screen object to denote specific attributes because it would provide the user with immediate visual feedback.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

Furthermore, the Office notes that applicant did not contest the factual assertion set forth under Official Notice in reference to claim 18 of the Office Action.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm M-Th, and alternating F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro  
Art Unit 2174  
Patent Examiner

RFP

*Kristine Kincaid*  
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